

<b>TRANSMITTAL LETTER TO THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US) CONCERNING A SUBMISSION UNDER 35 U.S.C. 371</b>		ATTORNEY'S DOCKET NUMBER COZ-0535 U.S. APPLICATION NO. (if known, see 37 CFR 3.1) New Application <b>10/584889</b>
INTERNATIONAL APPLICATION NO. PCT/EP2004/013737	INTERNATIONAL FILING DATE 3 December 2004	PRIORITY DATE CLAIMED 26 January 2004
TITLE OF INVENTION Settable Mixture Containing Lime, A Cementitious Composition and a Polymer		
APPLICANT(S) FOR DO/EO/US Thomas KOTHE, Max OPPLIGER		
<p>Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:</p> <ol style="list-style-type: none"> <li>1. <input checked="" type="checkbox"/> This is a <b>FIRST</b> submission of items concerning a submission under 35 U.S.C. 371.</li> <li>2. <input type="checkbox"/> This is a <b>SECOND</b> or <b>SUBSEQUENT</b> submission of items concerning a submission under 35 U.S.C. 371.</li> <li>3. <input checked="" type="checkbox"/> This is an express request to begin national examination procedures (35 U.S.C. 371 (f)). The submission must include items (5), (6), (9) and (21) indicated below.</li> <li>4. <input type="checkbox"/> The US has been elected (Article 31).</li> <li>5. <input checked="" type="checkbox"/> A copy of the International Application as filed (35 U.S.C. 371 (c)(2))             <ol style="list-style-type: none"> <li>a. <input checked="" type="checkbox"/> is attached hereto (required only if not communicated by the International Bureau). WO 2005/070849 A1</li> <li>b. <input type="checkbox"/> has been communicated by the International Bureau.</li> <li>c. <input type="checkbox"/> is not required, as the application was filed in the United States Receiving Office (RO/US).</li> </ol> </li> <li>6. <input type="checkbox"/> An English language translation of the International Application as filed (35 U.S.C. 371 (c)(2)).             <ol style="list-style-type: none"> <li>a. <input type="checkbox"/> is attached hereto.</li> <li>b. <input type="checkbox"/> has been previously submitted under 35 U.S.C. 154(d)(4).</li> </ol> </li> <li>7. <input checked="" type="checkbox"/> Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371(c)(3))             <ol style="list-style-type: none"> <li>a. <input type="checkbox"/> are attached hereto (required only if not communicated by the International Bureau).</li> <li>b. <input type="checkbox"/> have been communicated by the International Bureau.</li> <li>c. <input type="checkbox"/> have not been made; however, the time limit for making such amendments has NOT expired.</li> <li>d. <input checked="" type="checkbox"/> have not been made and will not be made.</li> </ol> </li> <li>8. <input type="checkbox"/> An English language translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371(c)(3)).</li> <li>9. <input checked="" type="checkbox"/> An unexecuted oath or declaration of the inventor(s) (35 U.S.C. 371(c)(4)).</li> <li>10. <input type="checkbox"/> An English language translation of the annexes of the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371(c)(5)).</li> </ol> <p><b>Items 11 to 20 below concern document(s) or information included:</b></p> <ol style="list-style-type: none"> <li>11. <input checked="" type="checkbox"/> An Information Disclosure Statement under 37 CFR 1.97 and 1.98.</li> <li>12. <input type="checkbox"/> An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included.</li> <li>13. <input checked="" type="checkbox"/> A preliminary amendment.</li> <li>14. <input checked="" type="checkbox"/> An Application Data Sheet under 37 CFR 1.76.</li> <li>15. <input type="checkbox"/> A substitute specification.</li> <li>16. <input type="checkbox"/> A power of attorney and/or change of address letter.</li> <li>17. <input type="checkbox"/> A computer-readable form of the sequence listing in accordance with PCT Rule 13ter.2 and 37 CFR 1.821 – 1.825.</li> <li>18. <input type="checkbox"/> A second copy of the published International Application under 35 U.S.C. 154(d)(4).</li> <li>19. <input type="checkbox"/> A second copy of the English language translation of the international application under 35 U.S.C. 154(d)(4).</li> </ol>		

This collection of information is required by 37 CFR 1.414 and 1.491–1.492. The information is required to obtain or retain a benefit by the public, which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 15 minutes to complete, including gathering information, preparing, and submitting the completed form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS.

SEND TO: Mail Stop PCT, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

U.S. APPLICATION NO. (if known, see 37 CFR 1.5) <b>10/284869</b> PCT/EP2004/013737	INTERNATIONAL APPLICATION NO. 3 December 2004	ATTORNEY'S DOCKET NUMBER COZ-0535	
20. Other items or information:  Written Opinion of ISA, copies of cited references, International Search Report, Publication WO 2005/070849 A1			
The following fees have been submitted		<b>CALCULATIONS</b>	<b>PTO USE ONLY</b>
21. <input checked="" type="checkbox"/> Basic national fee (37 CFR 1.492(a)) ..... <b>\$300</b>		<b>\$ 300.00</b>	
22. <input checked="" type="checkbox"/> Examination fee (37 CFR 1.492(c)) If the written opinion prepared by ISA/US or the international preliminary examination report prepared by IPEA/US indicates all claims satisfy provisions of the PCT Article 33(1)-(4) ..... <b>\$0</b> All other situations ..... <b>\$200</b>		<b>\$ 200.00</b>	
23. <input checked="" type="checkbox"/> Search fee (37 CFR 1.492(b)) If the written opinion of the ISA/US or the international preliminary examination report prepared by IPEA/US indicates all claims satisfy provisions of the PCT Article 33(1)-(4) ..... <b>\$0</b> Search fee (37 CFR 1.445(a)(2)) has been paid on the international application to the USPTO as an International Searching Authority ..... <b>\$100</b> International Search Report prepared by an ISA other than the US and provided to the Office or previously communicated to the US by the IB. .... <b>\$400</b> All other situations ..... <b>\$500</b>		<b>\$ 400.00</b>	
<b>TOTAL OF 21, 22 and 23 =</b>		<b>\$ 900.00</b>	
<input type="checkbox"/> Additional fee for specification and drawings filed in paper over 100 sheets (excluding sequence listing IN COMPLIANCE WITH 37 cfr 1.821(c) or (e) or computer program listing in an electronic medium) (37 CFR 1.492(j)). The fee is <b>\$250</b> for each additional 50 sheets of paper or fraction thereof.			
Total Sheets	Extra sheets	Number of each additional 50 or fraction thereof (round up to a whole number)	RATE
20	-100 = 0	/50 = 0	X <b>\$250</b>
			<b>\$ 0</b>
Surcharge of <b>\$130.00</b> for furnishing any of the search fee, examination fee, or the oath or declaration after the date of the commencement of the national stage (37 CFR 1.492(h)).		<b>\$ 0</b>	
CLAIMS	NUMBER FILED	NUMBER EXTRA	RATE
Total claims	20 - 20 =	0	X <b>\$50</b>
Independent claims	1 - 3 =	0	X <b>\$200</b>
MULTIPLE DEPENDENT CLAIM(S) (if applicable)		+	<b>\$360</b>
			<b>\$ 0</b>
<b>TOTAL OF ABOVE CALCULATIONS =</b>		<b>\$ 0</b>	
<input type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27. Fees above are reduced by 1/2.		<b>\$ 0</b>	
<b>SUBTOTAL =</b>		<b>\$ 0</b>	
Processing fee of <b>\$130.00</b> for furnishing the English translation later than 30 months from the earliest claimed priority date (37 CFR 1.492(i)).		<b>\$ 0</b>	
<b>TOTAL NATIONAL FEE =</b>		<b>\$ 0</b>	
Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31). <b>\$40.00</b> per property		<b>\$ 0</b>	
<b>TOTAL FEES ENCLOSED =</b>		<b>\$ 900.00</b>	
		<b>Amount to be refunded:</b>	<b>\$</b>
		<b>Amount to be charged:</b>	<b>\$</b>

10/584869

PTO-1390 (Rev. 07-2005)

Approved for use through 3/31/2007. OMB 0651-0021

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

RECEIVED JUN 29 2006

- a. ☒ A check in the amount of \$ 900.00 to cover the above fees is enclosed.
- b. ☐ Please charge my Deposit Account No. 50-3275 in the amount of \$ \_\_\_\_\_ to cover the above fees.  
A duplicate copy of this sheet is enclosed.
- c. ☒ The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. 50-3275. A duplicate copy of this sheet is enclosed.
- d. ☐ Fees are to be charged to a credit card. **WARNING:** Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

**NOTE:** Where an appropriate time limit under 37 CFR 1.495 has not been met, a petition to revive (37 CFR 1.137(a) or (b)) must be filed and granted to restore the International Application to pending status.

SEND ALL CORRESPONDENCE TO:

*Joseph G. Curatolo*

SIGNATURE:

Joseph G. Curatolo

NAME

28 837

REGISTRATION NUMBER

Customer No. 23575

10/584869  
APPROPRIATE PCT/PTO 29 JUN 2006

**CURATOLO SIDOTT**

A LEGAL PROFESSIONAL ASSOCIATION  
Intellectual Property Law

24500 Center Ridge Road, Suite 280  
Cleveland, Ohio 44145  
Telephone: 440.808.0011  
Facsimile: 440.808.0657

**PATENTANDTM.COM**  
jcuratolo@patentandtm.com  
Writer's Email:

June 29, 2006

MAIL STOP PCT  
COMMISSIONER FOR PATENTS  
P.O. BOX 1450  
ALEXANDRIA, VA 22313-1450

Certificate of Express Mailing

I hereby certify that this correspondence is being deposited on the date shown below with the United States Postal Service as Express Mail - Label No. EV759159136US - "Express Mail Post Office to Addressee" in an envelope with sufficient postage addressed to: Mail Stop PCT, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Joan R. Barris

(type or print name of person signing paper)

Joan R. Barris

(signature of person mailing paper)

6-29-2006

(date)

**TRANSMITTAL LETTER FOR PATENT APPLICATION**

Dear Sirs:

Transmitted herewith is a written application for a patent filed pursuant to 35 USC §371, which is a national stage application of International Application No. PCT/EP2004/013737, filed 3 December 2004, which claims the benefit of GB 0401603.6, filed 26 January 2004, from which applications priority is claimed.

Express Mail No. EV759159136US

Docket No. COZ-0535

Title:           Settable Mixture Containing Lime, a Cementitious Composition and a Polymer

Inventors:       Thomas KOTHE and Max OPPLIGER

Assignee:       Construction Research & Technology GmbH  
Dr. Albert-Frank-Strasse 32  
D-83308 Trostberg, Germany

Enclosed is:

Transmittal Letter with Certificate of Mailing and Authorization to Charge Deposit Account (2 pages - in duplicate)

Transmittal Letter United States Designated/Elected Office Concerning Filing Under 35USC371 (PTO-1390) (2 pages)

Combined Declaration and Power of Attorney, Unexecuted (2 pages)

Preliminary Amendment

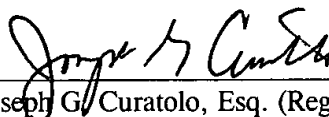
APZ01ECUPCT/PTO 29 JUN 2006

Application Data Sheet  
Copy - International Search Report  
Copy - Written Opinion of the International Searching Authority  
Copy - International Publication No. WO2005/070849 A1  
Information Disclosure Statement  
Form PTO/SB08A&B  
Copies of Cited References (5)  
Check in the amount of \$900.00  
Return Receipt Postcard

**Authorization to Charge Deposit Account**

In the event an additional fee is applicable to the filing of this document and the required fee is not enclosed, or the fee submitted is insufficient, the Commissioner is hereby authorized to charge any fees for Docket No. COZ-0535 that might be required to effect the filing of this (these) document (s) to Account No. 50-3275. This authorization is being submitted in duplicate.

Respectfully submitted,



Joseph G. Curatolo, Esq. (Reg. No. 28,837)

Salvatore A. Sidoti, Esq. (Reg. No. 43,921)

Curatolo Sidoti Co., LPA

24500 Center Ridge Road, Suite 280

Cleveland, Ohio 44145

Customer No. 23575

Telephone: 440.808.0011

Fax: 440.808.0657

Attorneys for Applicants

6-29-2006

Date